

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SEAN RODNEY ORTH, v. WARDEN HDSP, et al.,	Petitioner, Respondents.	Case No. 3:15-cv-00131-MMD-VPC ORDER
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12 On December 12, 2017, the Court concluded that Ground 11 of the habeas petition
13 in this case was unexhausted and directed petitioner to select one of three options with
14 respect to the unexhausted claim. (ECF No. 34.) On January 8, 2018, petitioner moved
15 to dismiss Ground 11 and proceed on his exhausted claims. (ECF No. 35.) No opposition
16 to the motion has been filed, and the time for doing so has expired.

17 Accordingly, it is therefore ordered that Ground 11 of the petition in this action is
18 dismissed without prejudice.

19 It is further ordered that respondents shall file an answer to all remaining claims in
20 the amended petition (ECF No. 15) within forty-five (45) days of the date of this order.
21 The answer must include substantive arguments on the merits as to each remaining
22 ground in the petition, as well as any procedural defenses which may be applicable. In
23 filing the amended answer, respondents must comply with the requirements of Rule 5 of
24 the Rules Governing Section 2254 Cases in the United States District Courts.

DATED THIS 24th day of January 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE